

FORM #1

APPLICATION

TOWNSHIP OF WEEHAWKEN

PLANNING BOARD/BOARD OF ADJUSTMENT

1. Applicant's Name: Port Imperial South Parcel 16 Urban Renewal Owner LLC

Address: Woodlawn Hall at Old Parkland
3953 Maple Ave, Suite 300
Dallas, Texas 75219

Phone Number: 973-852-1700

If Applicant is a corporation or partnership, attach a list of the names and addresses of all shareholders or partners who hold an interest of ten percent (10%) or greater.

2. Applicant's Attorney: Emily J Weiner, Weiner Law Group LLP

Address: 629 Parsippany Road, Parsippany, NJ 07054

Phone Number: 973-403-1100 x 219

3. Location of Subject Property:

Block 64.01 Lot 1.02 and 1.12

Street
Address: 1700 Avenue at Port Imperial

4. Record Owner of Subject Property:

Lot 1.02:

Name: Same as Applicant

Address:

Lot 1.12

Name: North Hudson Sewerage Authority

Address: 1600 Adams St, Hoboken, NJ 07030

5. Description of Subject Property:

Lot Dimensions and Area: See Exhibit A attached

Existing Structures, if any: none

Existing Use: Lot 1.02 surface parking; Lot 1.12 NHSA pump station

Zoning District: Zone I Planned Development District

6. Type of Application (check all applicable items):

☐ Minor Site Plan

☐ Minor Subdivision

☒ Major Site Plan

☐ Major Subdivision

☐ Variance

☐ Conditional Use

☐ Planned Development

☐ Curb Cut

7. Name of Licensed N.J. architect and/or engineer who

prepared the plans: Sean Delaney, P.E., N.J. License # 24GE04447100

Address: Bowman Consulting Group Ltd.
3 Paragon Way, Suite 170, Freehold, NJ 07728

Phone Number: 732-665-5500

8. Description of Proposal (i.e., type and dimensions of proposed construction; number of proposed dwelling units; amount of proposed non-residential floor area and type of use; number of on-site parking spaces; number, dimensions, and area of proposed new lots; number of employees, if any; proposed hours of operation, if applicable; variance relief requested):

See Attached Rider

9. Have there been any previous applications, requests or appeals to this or any other Township Boards or the Construction Official involving the same property? Yes

If yes, state the nature, date and disposition of the previous matter.

Zoning Board of Adjustment Approval for the Banana Building, Resolution dated July 17, 1996 granting extension of permission for use of property as a marina, restaurant, accessory uses in parking areas, apartment, warehouse, road widening, signage, ferry operation, river walkway, bicycle/jogging path, helipad, realignment of existing parking on former lots 1 and 1A, Block 64, and a fitness center in the Banana Building.

Final and Revised Final Subdivision Approval Resolutions dated August 19, 1997; January 5, 1999 ratified April 6, 1999. Preliminary Planned Development Approval January 5, 1999; ratified by Resolution dated April 6, 1999; Port Imperial South Planned Development Townhouse Site Plan Approval Lot 4.01, Block 45.01 dated January 5, 1999, and ratified by Resolution dated April 6, 1999; Preliminary and Final Site Plan Approval for the Temporary Realignment of Port Imperial Boulevard granted by the Planning Board on June 22, 1999; Final Site Plan Approval for the "Brownstones" dated August 10, 2000; Resolution approving Second Planned Development application dated November 1, 2000; Resolution approving Amended Brownstones application and Preliminary and Final Subdivision

Approval for Lots 1.01, 3.01 and 4.01 in Block 45.01; Lot 1.01, Block 45.02; Block 45, Lot 5 and Block 64.01, Lot 1.01 dated January 16, 2001; and Resolution approving Preliminary Site Plan for Interim Ferry Parking Lots dated July 17, 2001; and Resolution approving Second Amended Final Site Plan for the Brownstones approved April 15, 2003 for Block 45.01, Lot 4.01; Resolution approving Preliminary and Final Site Plan for Hudson River Crossing, L.L.C. dated April 15, 2003 for construction of a fiber optic cable conduit for Block 36.05, Lots 1.01, 2.01, Block 45.01, Lots 1.01, 4.01, Block 45.02, Lot 1.01, Block 64.01, Lot 1.01, Block 64.03, Lot 1.01, Resolution dated March 2, 2004 approving Preliminary and Final Major Subdivision for Block 36.04, Lot 6, Block 36.05, Lots 1.01 and 2.01, Block 45.01, Lots 1.01 and 2.01, and Block 45.02, Lot 1.01 for the Waterfront Park and Proposed Residential Lots and a Resolution, dated September 7, 2004 approving a preliminary site plan for the waterfront park for Lots 1.01, and 2.01, Block 36.05, Lot 1.01 and 2.01 in Block 45.01, Lot 1.01, Block 45.02, Lot 6, Block 36.04 and a final site plan for the waterfront park for Lots 1.01 and 2.01 in Block 36.05, Lot 1.01 in Block 45.01 and Lot 1.01 in Block 45.02, Resolution dated November 16, 2004 granting preliminary and final major subdivision approval for Block 64.01, Lot 1.01, 2.01 and 3.01, Block 64.02, Lot 1.01, Block 64.03, Lot 1.01, Resolution dated May 3, 2005 granting Amended Planned Development Approval for a change in the use of the Banana Building site, new Lot 1.01, Block 45.01, Resolution dated May 3, 2005 approving 164 Townhouses and Condominiums for new Lot 1.01, Block 45.01. Resolution dated July 7, 2005 releasing restriction in Deed Book 5225 at page 1. Resolution dated October 18, 2005 granting Preliminary and Final Site Plan for Building 15, housing, Lot 1.03, Block 64.01; Resolution dated July 18, 2006 granting Preliminary and Final Site Plan for Parking Garages, Lots 3.02 and 3.03, Block 64.01; Resolution dated December 5, 2006 granting Preliminary and Final Site Plan for Buildings 10 and 12, Lots 1.10 and 1.11, Block 64.01; Resolution dated May 1, 2007 granting Amended Preliminary and Final Site Plan approval for Building 15, Lot 1.03 Block 64.01; Resolution dated May 1, 2007 granting Amended Planned Development approval for Lots 8 and 9, Block 64, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 3.01, 3.02, 3.03, 3.04, Block 64.01, Lot 1.01 Block 64.02, Lot 1.01 Block 64.04. Resolution dated December 18, 2007 granting Amended Preliminary and Final Site Plan Approval for Hotel and Amended Parking Garage Lot 3.02, Block 64.01; Resolution dated July 7, 2009 granting Amended Preliminary and Final Site Plan Approval Block 45.01, Lot 1.01 Henley on Hudson. Resolution Weehawken Planning Board re: Redevelopment Plan Lot 3.02, Block 64.01 dated February 2, 2010; Ordinance adopting Redevelopment Plan for Waterfront Transportation related parking garage on Lot 3.02, Block 64.01 dated February 16, 2010; Resolution for Amended Preliminary and Final Site Plan Approval for Amended Parking Garage Lot 3.02, Block 64.01 dated June 15, 2010; Resolution extending Planned Development Approval dated September 21, 2010; Resolution to determine whether further approval is required to alter prior site plan for Lot 1.02, Block 45.01 Henley on Hudson dated December 6, 2011; Resolution granting Preliminary and Final Site Plan Lot 1.09, Block 64.01 continued use of temporary building as sales model and administrative office with parking area dated January 11, 2011; Resolution of Interpretation to Determine Whether Further Approval is Required to Alter Prior Site Plan Lot 1.11, Block 64.01 Building 10 dated June 5, 2012; Resolution granted Amended Preliminary and Final Site Plan Approval with Variance for Lots 1.03, 1.04 and 1.05, Block 64.01 dated September 10, 2012; Resolution granting application for subdivision of Lot 1.02, Block 64.01 dated

January 7, 2014; Resolution granting Amended Preliminary and Final Site Plan Approval with Ancillary Variance Relief Lot 3.02, Block 64.01 Amended Hotel Approval dated January 7, 2014. Resolution granting amended preliminary and final site plan approval with variances for Buildings 1 and 3 on Lot 3.03, Block 64.01 for an office building and parking garage dated September 16, 2014. Resolution granting LS Port Imperial South, LLC preliminary and final site plan approval for Lot 1.05 Block 64.01 with variance for parking space size and for loading dock location and size and separation between buildings at street level and up to 80 feet in height for Building 11 approved June 2, 2015. Resolution granting amended final site plan approval to Lennar Port Imperial South Building 12, LLC located on Lot 1.10 in Block 64.01 for de minimis changes resulting from Superstorm Sandy dated October 6, 2015. Resolution granting amended preliminary and final site plan approval to L.R. Port Imperial South BB, L.L.C. on Lot 1.01 Block 45.01 (Henley on Hudson) approved December 15, 2015. Resolution granting amended preliminary and final site plan approval for Building 7 Lot 1.07 Block 64.01 approved on February 2, 2016 and memorialized March 1, 2016. Resolution granting Port Imperial South 8-9 Urban Renewal, LLC preliminary and final site plan approval for Block 64.01, Lot 1.06, Building 8/9 decided on May 16, 2017 and memorialized on June 6, 2017. Resolution granting HK WK (NJ) LLC preliminary and final site plan approval for Buildings 14 and 19 to located at Block 64.01, Lots 1.08 and 1.09 decided on December 4, 2018 and memorialized on December 18, 2018. Resolution granting HK WK (NJ) LLC amended final site plan approval for Buildings 14 and 19 located at Block 64.01, Lots 1.08 and 1.09 decided on June 18, 2019 and memorialized on July 3, 2019. Resolution granting Verizon preliminary and final site plan approval for Block 64.01 Lots 1.01 and 3.01 and Block 64.03 Lot 1.01 decided on June 18, 2019 and memorialized on September 3, 2019. Resolution granting The Park Apartments preliminary and final site plan and subdivision approval for Block 36.05 Lot 1.01 decided on June 18, 2019 and memorialized on September 3, 2019. Resolution granting minor subdivision of Block 45, Lots 6.01 and 6.02 and removal of Block 45, Lot 6.02; Block 64, Lots 8 and 9; and Block 64.01, Lot 1.01 from the Planned Development for dedication to the Township of Weehawken and associated variance from the Zoning Ordinance to reduce the required open space within the Planned Development area to 15% from the required 30% as a result of the dedication to the Township. Resolution granting Amended Planned Development approval to increase the total number of residential units permitted from 2,348 to a maximum of 3,109 by allowing the previously approved 655,000 square feet of office space, in addition to unused commercial and hotel square footages to alternatively be developed for residential use; and to permit an approximately 14,000 square foot performing arts center on Block 64.01, Lot 3.03; and to extend the Planned Development approval as amended by this Board for a period of 10 years from the date of Approval to allow for completion of the development, memorialized on August 3, 2021. Resolution granting Minor Subdivision approval for Block 64 Lot 3.03 to be subdivided and create new lots 3.05 and 3.06 memorialized on February 15, 2022. Resolution granting preliminary and final site plan approval with associated variances for Block 64.01 Lots 3.05 and 3.06 memorialized on August 2, 2022. Resolution granting minor subdivision approval for Block 64.01 Lots 3.06 and 4.01 memorialized on June 18, 2024. Resolution granting preliminary and final site plan with associated variances for Block 64.01 Lot 3.04 memorialized on January 21, 2025.

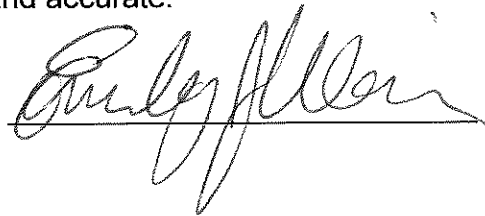
10. Describe any existing or proposed deed restrictions affecting this property. If deed restrictions are proposed, attach a copy of the proposed document.

There is an existing subsurface protective easement for the Lincoln Tunnel. (See Deed Book 2700 at pages 186, et. seq.). There is a Port Authority Drainage Sewer Easement. (See Deed Book 1920 at pages 363, et. seq.). There is a utility easement. There is a sanitary sewer easement. (See Deed Book 2926 at pages 775, et. seq.). The Master Easement, Covenants and Restrictions Agreement dated December 1997 between Port Imperial South, L.L.C. and Romulus Development Corp. was recorded on December 18, 1997 in the Hudson County Register's Office in Deed Book 5225, page 1, et. seq. There is a declaration of easement dated May 14, 2001 between Port Imperial South, L.L.C. for a 20 foot wide access easement to the waterfront walkway through Lot 1.01, Block 64.01 and for the waterfront walkway easement through Lots 1.01, 3.01 and 4.01 of Block 45.01 and Lot 1.01, Block 64.01 which agreement was recorded July 11, 2001 in the Hudson County Register's Office in Deed Book 5836 at page 172. There is an easement agreement dated June 18, 2001 between Port Imperial South, L.L.C. and Romulus Development Corp. for the waterfront walkway access, which easement was recorded July 11, 2001 in the Hudson County Register's Office, Deed Book 5836, page 139, et seq. Easement agreement dated January 7, 2002 between Port Imperial South, L.L.C. and Romulus Development Corp., and New Jersey Transit Corporation recorded in the Hudson County Register's Office on January 11, 2002 in Deed Book 5921, page 001 and Easement and Restrictive Covenant Agreement dated January 7, 2002 between Port Imperial South, L.L.C. and New Jersey Transit Corporation recorded in the Hudson County Register's Office on January 11, 2002 in Deed Book 5920, page 285. Post Closing Agreement dated January 7, 2002 between Romulus Development Corporation and Port Imperial South, L.L.C., Port Imperial North Property Owners Association, Inc., and New Jersey Transit Corporation recorded in the Hudson County Register's Office on January 11, 2002 in Deed Book 5921, page 39. Deed of Easement dated January 28, 2002 between Romulus Development Corp. and Lecalkon, L.L.C. recorded on February 21, 2002 in the Hudson County Register's Office in Deed Book 5940, page 21. Permit between Port Imperial South, L.L.C., Romulus Development Corp. and Hudson River Crossing, L.L.C. dated January 28, 2002 recorded on February 21, 2002 in the Hudson County Register's Office in Deed Book 5940, page 67, et seq. Assignment and Assumption of Romulus Easement Agreement dated January 28, 2002 recorded in the Hudson County Register's Office on February 21, 2002 in Deed Book 5940, page 63, et seq. Public Access Easement Agreement between Port Imperial South, L.L.C. and the Township of Weehawken dated February 12, 2004, recorded February 13, 2004 in the Hudson County Register's Office in Deed Book 7215 at pages 105, et seq. for Waterfront Access on Lot 4.01, Block 45.01 (Brownstones) and a Sixteen (16") wide public access easement along Port Imperial Boulevard on Lot 4.01, Block 45.01.

The applicant has granted access easements to the Hudson River Waterfront Walkway. The applicant has executed a Developer's Agreement for the "Brownstones" and "North End Subdivision," Block 64.01, Lots 1.01, 2.01, and 3.01, Block 64.02, Lot 1.01, Block 64.03, Lot 1.01. The applicant has executed and recorded a Declaration of Covenants, Easements and Restrictions for Port Imperial North Property Owners Association, Inc., whose name

has been changed to Port Imperial Property Owners Association, Inc., which Declaration has three (3) amendments and outlines the obligations for the repair and maintenance of all improvements in the Planned Development. The applicant has executed and recorded a Waterfront Walkway Easement for Block 64.01, Lot 1.01 and Block 64.01, Lot 3.01. The applicant has executed a Fourth Amendment to Declaration of Covenants, Easements, Restrictions and Bylaws for Port Imperial Property Owners Association Inc. for the Banana Building Lot 4.01, Block 45.01. The applicant has executed a Waterfront Walkway Easement for Lot 1.01, Block 45.01 (Banana Building). The applicant has executed a Developer's Agreement for the Banana Building Lot 1.01, Block 45.01. The applicant has executed a Developer's Agreement for the Waterfront Park, Block 36.05, Lot 2.01, Block 36.05, Lot 3.01 and Block 36.05, Lot 4.01. The applicant has executed a Land Exchange Agreement with the Township of Weehawken for a portion of Lot 6, Block 36.04 in exchange for Lots 2.01, 3.01 and 4.01 in Block 36.05 to create a waterfront park. The applicant has executed an Amended Developer's Agreement, the Palisades Preservation Plan and the Covenant to run with the land that shall allocate the costs of future construction of the off-tract improvements proposed by the Applicant and provide performance guarantees in connection therewith with the Planning Board's attorney. The applicant has negotiated with the Township the terms of a Palisades Preservation Plan and Covenant for allocation of off-tract traffic mitigation costs for Port Imperial.

I, Emily J. Weiner, being duly sworn according to law, hereby certify that the information presented in this application is true and accurate.



Sworn and subscribed to
before me this 16th day
of June, 2025.



LOUIS I. KARP, ESQ.
ATTORNEY AT LAW
IN THE STATE OF NEW JERSEY

Owner's Consent

I, Richard J. Wolff, being duly sworn according to law, hereby certify that I am the record owner of Block 64.01 Lot 1.12, which is the subject of the foregoing application and that I consent to the filing of this application.

Richard J. Wolff
(Signature of record owner)

Dated:

Sworn and subscribed to
before me this 16th day
of June, 2025.

Sharon A.W. Jicha

SHARON A.W. JICHA
Notary Public, State of New Jersey
My Commission Expires
JULY 23, 2026

Project Description

The applicant is proposing the construction of a 137-unit residential building with associated parking and amenities on Lot 1.02. The proposed parking will be in a garage within the building. One hundred twenty-four (124) Residential parking spaces will be located on the 2nd and 3rd floors, with an additional fifty (50) parking spaces on the first floor for the nearby restaurant.

The applicant is seeking four (4) bulk variances relating to the development of the building:

1. Parking space dimensions for compact cars to allow 8 feet by 15 feet where 9 feet by 17 feet is required.
2. Parking space dimensions to allow 8.5 feet x 18 feet where 9 feet x 19 feet is required.
3. Variance for building separation as the requirement is 60 feet between buildings up to 80 feet bldg. height, which complies, but for the portion of the building above 80 feet, the requirement is 50 feet from center of view corridor where the proposed building is 31 feet from center of view corridor on the north side and 35.1 feet on the South side to the center of view corridor.
4. Loading zone size – 12 feet by 56 feet required within building where 24 feet by 43 feet is proposed within building. There is an additional 13 feet outside of the building adjacent to the loading space to make the size comply, but since a portion is outside of the building, to be conservative, applicant is seeking a variance for loading space size.

Lot 1.12 is included in this application as there are certain proposed improvements including access to the pump station, however there is no new development proposed on that lot.